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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. *2011-523*

11 **AKIIA KENYETTA PRIDE**
12 **551 Athena Place**
13 **Carson, CA 90745**
Registered Nurse License No. 687589

A C C U S A T I O N

14 Respondent.

15
16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
19 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
20 of Consumer Affairs.

21 2. On or about August 28, 2006, the Board of Registered Nursing issued Registered
22 Nurse License Number 687589 to Akiia Kenyetta Pride (Respondent). The Registered Nurse
23 License was in full force and effect at all times relevant to the charges brought herein and will
24 expire on May 31, 2012, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board, under the authority of the following
27 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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STATUTORY PROVISIONS

4. Section 490 states:

“(a) In addition to any other action that a board is permitted to take against a licensee, a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

“(b) Notwithstanding any other provision of law, a board may exercise any authority to discipline a licensee for conviction of a crime that is independent of the authority granted under subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the licensee’s license was issued.

“(c) A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

5. Section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6. Section 2761 states:

“The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

“(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

“(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.”

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8. Section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the licensee.

REGULATORY PROVISIONS

9. California Code of Regulations, title 16, section 1444 states, in pertinent part:

“A conviction or act shall be considered to be substantially related to the qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness of a registered nurse to practice in a manner consistent with the public health, safety, or welfare. Such convictions or acts shall include but not be limited to the following:”

• • • •

“(c) Theft, dishonesty, fraud, or deceit.”

• • • •

COST RECOVERY

10. Section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Conviction of Substantially Related Crime)

11. Respondent is subject to disciplinary action under section 2761, subdivision (f) and 490, as defined in California Code of Regulations, title 16, section 1444 subdivision (c), in that Respondent has been convicted of crimes substantially related to the qualifications, functions or duties of a registered nurse, as follows:

a. On or about May 27, 2010, after pleading guilty, Respondent was convicted of one felony count of violating Penal Code section 487, subdivision (a) (grand theft of personal property) in the criminal proceeding entitled The People of the State of California v. Akiia Pride (Super. Ct. Los Angeles County, Case No. BA356754). Respondent was placed on formal probation for five years with terms and conditions and required to perform 90 days of community

1 service and pay restitution in the stipulated sum of \$72, 824.40 to the County of Los Angeles,
2 Department of Public Social Services.

3 b. The circumstances surrounding the conviction are that on or between May 31, 2005
4 and February 23, 2009, Respondent and other persons unlawfully took money and personal
5 property from the Department of Public Social Services.

6 **SECOND CAUSE FOR DISCIPLINE**

7 (Unprofessional Conduct)

8 11. Respondent is subject to disciplinary action under section 2761, subdivision (a) in
9 that Respondent engaged in unprofessional conduct, while licensed as a registered nurse in
10 California. Said unprofessional conduct is described more fully in paragraph 10 subparagraph a
11 and b above, and incorporated herein.

12 **PRAYER**

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Board of Registered Nursing issue a decision:

15 1. Revoking or suspending Registered Nurse License Number 687589, issued to Akiia
16 Kenyetta Pride;

17 2. Ordering Akiia Kenyetta Pride to pay the Board of Registered Nursing the reasonable
18 costs of the investigation and enforcement of this case, pursuant to Business and Professions
19 Code section 125.3;

20 3. Taking such other and further action as deemed necessary and proper.

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22
23 DATED: 12/14/10

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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